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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/709,243	04/23/2004	Hideaki Takahashi	SIMTEK6895	3242

25776 7590 09/22/2006

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EXAMINER

COMAS, YAHVEH

ART UNIT PAPER NUMBER

2834

DATE MAILED: 09/22/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.		Applicant(s)	
	10/709,243		TAKAHASHI ET AL.	
	Examiner		Art Unit	
	Yahveh Comas		2834	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 September 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

Applicant's arguments filed 9/5/2006 have been fully considered but they are not persuasive.

Applicant argument regarding that the last office action fails to suggest why one skill in the art would make such modification is not persuasive because as disclose in page 3 of the last office action, it would have been obvious to one having skill in the art at the time the invention to modify Michaels's invention and provide a pair of insulator positioned on opposite axial sides of the core and having cooperating tooth-engaging portions encircling said pole teeth and receiving coil windings there around as disclosed by Laurie since that would had been desirable in order to cover the lateral side of the stator pole.

In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, Laurie discloses an insulation portion that extends at the axial sides of the poles in order to provide a better protection for the stator core (see also NAGASAKI GB002325787). Therefore the rejection is sustained.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

1. Claims 1-5 and 8-12 are rejected under 35 U.S.C. 103(a) as being anticipated by Michaels et al. U.S. Patent No. 6,856,055 in view of Laurie U.S. Patent No. 4,386,288.

Michaels discloses an armature construction for a rotating electrical machine comprised of a core consisting of a plurality of laminated plates having a circular member from which a plurality of pole teeth radially extend, a pair of insulators positioned on opposite axial sides of said core, a wiring base (100) positioned on one axial side of one of said insulators, said wiring base (100) being made from an insulating material and adapted to receive the wire ends of the coil windings, and

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interconnecting members (129, 108) formed on said one insulator and said wiring base (100) for connecting said wiring base in a predetermined axial, radial and circumferential position. The interconnecting members comprise a pair of interconnecting elements (129), one on each of the insulator (22) and the wiring base (100). Also the wiring base (100) has a cylindrical flange (108) for assisting the radial position of said wiring base (100). Michaels discloses the claimed invention except for a pair of insulators positioned on opposite axial sides of the core and having cooperating tooth-engaging portions encircling said pole teeth and receiving coil windings there around. However Laurie discloses a stator having a pair insulator (31) positioned on opposite axial sides of the core (28) and having cooperating tooth-engaging portions encircling said pole teeth and receiving coil windings there around in order to cover the lateral side of the stator pole (28).

Therefore it would have been obvious to one having skill in the art at the time the invention to modify Michaels's invention and provide a pair of insulator positioned on opposite axial sides of the core and having cooperating tooth-engaging portions encircling said pole teeth and receiving coil windings there around as disclosed by Laurie since that would had been desirable in order to cover the lateral side of the stator pole.

2. Claims 6-7 and 13-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Michaels et al. U.S. Patent No. 6,856,055, in view of Laurie U.S. Patent No. 4,386,288, in further view of Carli GB Patent No. 2,333,647.

Michaels, in view of Laurie, discloses the claimed invention except for the interconnecting member being hooks and receiver therefore. However Carli discloses a hook (8) as interconnecting member for a wiring base (6) in order to fix said wiring base with the insulator (7).

Therefore it would have been obvious to one having skill in the art at the time the invention was made to provide a hook and receiver for said for since that would had been desirable fixing or engage said wiring base to the insulator as disclosed by Carli.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yahveh Comas whose telephone number is (571)272-2020. The examiner can normally be reached on 8am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Darren Schuberg can be reached on 571-272-2044. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

YC


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